

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:20-cv-00459-TJK**

NOVATKA v. U.S. CUSTOMS AND BORDER
PROTECTION
Assigned to: Judge Timothy J. Kelly
Cause: 05:552 Freedom of Information Act

Date Filed: 02/18/2020
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**MICHAEL JAMES NOVATKA**

represented by **Peter S. Herrick**
PETER S HERRICK PA
4324 Bayshore Blvd NE
St Petersburg, FL 33703
727-244-1600
Email: pssherrick@gmail.com
ATTORNEY TO BE NOTICED

V.

Defendant

UNITED STATES
TERMINATED: 04/18/2020

represented by **Rhonda Lisa Campbell**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2559
Fax: (202) 252-2599
Email: rhonda.campbell@usdoj.gov
TERMINATED: 05/04/2020

Defendant

**U.S. CUSTOMS AND BORDER
PROTECTION**

represented by **Robert Aaron Caplen**
UNITED STATES ATTORNEY'S
OFFICE
555 4th Street, NW
Washington, DC 20530
(202) 252-2523
Email: robert.caplen@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rhonda Lisa Campbell
(See above for address)
TERMINATED: 05/04/2020

| Date Filed | # | Docket Text |
|------------|----------|---|
| 02/18/2020 | <u>1</u> | COMPLAINT against UNITED STATES (Filing fee \$ 400 receipt number ADCDC-6839779) filed by MICHAEL JAMES NOVATKA.(Herrick, Peter) (Entered: 02/18/2020) |
| 02/18/2020 | <u>2</u> | CIVIL COVER SHEET by MICHAEL JAMES NOVATKA filed by MICHAEL JAMES NOVATKA.(Herrick, Peter) (Entered: 02/18/2020) |
| 02/19/2020 | <u>3</u> | REQUEST TO ISSUE SUMMONS by MICHAEL JAMES NOVATKA (Herrick, Peter) Modified to edit docket entry text on 2/19/2020 (zmc). (Entered: 02/19/2020) |

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| 02/19/2020 | <u>4</u> | REQUEST TO ISSUE SUMMONS by MICHAEL JAMES NOVATKA (Attachments: # <u>1</u> Summons)(Herrick, Peter) Modified to edit docket entry text on 2/19/2020 (zmc). (Entered: 02/19/2020) |
| 02/19/2020 | <u>5</u> | AMENDED COMPLAINT against UNITED STATES filed by MICHAEL JAMES NOVATKA.(Herrick, Peter) (Entered: 02/19/2020) |
| 02/20/2020 | | Case Assigned to Judge Timothy J. Kelly. (zsb) (Entered: 02/20/2020) |
| 02/20/2020 | <u>6</u> | SUMMONS (2) Issued Electronically as to UNITED STATES, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 02/20/2020) |
| 03/02/2020 | <u>7</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/25/2020. Answer due for ALL FEDERAL DEFENDANTS by 3/26/2020. (Herrick, Peter) (Entered: 03/02/2020) |
| 03/02/2020 | <u>8</u> | RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General February 25, 2020. (Herrick, Peter) (Entered: 03/02/2020) |
| 03/16/2020 | <u>9</u> | NOTICE of Appearance by Rhonda Lisa Campbell on behalf of UNITED STATES (Campbell, Rhonda) (Entered: 03/16/2020) |
| 04/03/2020 | | MINUTE ORDER: It is hereby ORDERED that by April 17, 2020, the United States shall answer or otherwise respond to Plaintiff's <u>1</u> Complaint and justify its delay in doing so, <i>see</i> 5 U.S.C. § 552(a)(4)(C). Signed by Judge Timothy J. Kelly on 4/3/20. (lctjk2) (Entered: 04/03/2020) |
| 04/08/2020 | <u>10</u> | ANSWER to <u>5</u> Amended Complaint by UNITED STATES.(Campbell, Rhonda) (Entered: 04/08/2020) |
| 04/08/2020 | <u>11</u> | NOTICE <i>to the Court</i> by UNITED STATES re <u>10</u> Answer to Amended Complaint (Campbell, Rhonda) (Entered: 04/08/2020) |
| 04/08/2020 | | MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. It is hereby ORDERED that the parties shall meet, confer, and file a joint proposed schedule for briefing or disclosure by May 8, 2020. Signed by Judge Timothy J. Kelly on 4/8/20. (lctjk2) (Entered: 04/08/2020) |
| 04/08/2020 | | Set/Reset Deadlines: Joint Proposed Briefing Schedule or disclosure due by 5/8/2020. (zkh) (Entered: 04/08/2020) |
| 04/17/2020 | <u>12</u> | MOTION to Amend/Correct by MICHAEL JAMES NOVATKA (Herrick, Peter) (Entered: 04/17/2020) |
| 04/17/2020 | | MINUTE ORDER granting Plaintiff's <u>12</u> Consent Motion to File Second Amended Complaint. In light of Defendant's "written consent" to amendment, Fed. R. Civ. P. 15(a)(2), it is hereby ORDERED that (1) the <u>12</u> Motion is GRANTED; (2) Plaintiff shall promptly re-file on the docket his proposed second amended complaint, ECF No. 12 at 57; and (3) the Clerk shall change the caption of this case to <i>Novatka v. U.S. Customs and Border Protection</i> . Signed by Judge Timothy J. Kelly on 4/17/20. (lctjk2) (Entered: 04/17/2020) |
| 04/18/2020 | <u>13</u> | AMENDED COMPLAINT against CUSTOMS AND BORDER PROTECTION filed by MICHAEL JAMES NOVATKA.(Herrick, Peter) (Entered: 04/18/2020) |
| 05/04/2020 | <u>14</u> | NOTICE OF SUBSTITUTION OF COUNSEL by Robert Aaron Caplen on behalf of U.S. CUSTOMS AND BORDER PROTECTION Substituting for attorney Rhonda L. Campbell (Caplen, Robert) (Entered: 05/04/2020) |
| 05/04/2020 | <u>15</u> | Unopposed MOTION for Extension of Time to File Answer re <u>13</u> Amended Complaint by U.S. CUSTOMS AND BORDER PROTECTION (Attachments: # <u>1</u> Text of Proposed Order)(Caplen, Robert) (Entered: 05/04/2020) |
| 05/04/2020 | | MINUTE ORDER granting, for good cause shown, Defendant's <u>15</u> Unopposed Motion for Enlargement of Time. It is hereby ORDERED that Defendant shall file its answer or otherwise respond to Plaintiff's <u>13</u> Amended Complaint by May 8, 2020. Signed by Judge Timothy J. Kelly on 5/4/20. (lctjk2) (Entered: 05/04/2020) |

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| 05/07/2020 | <u>16</u> | ANSWER to <u>13</u> Amended Complaint by U.S. CUSTOMS AND BORDER PROTECTION.(Caplen, Robert) (Entered: 05/07/2020) |
| 05/07/2020 | <u>17</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Caplen, Robert) (Entered: 05/07/2020) |
| 07/02/2020 | <u>18</u> | Joint STATUS REPORT by U.S. CUSTOMS AND BORDER PROTECTION. (Caplen, Robert) (Entered: 07/02/2020) |
| 07/02/2020 | | MINUTE ORDER: Upon consideration of the parties' <u>18</u> Joint Status Report, it is hereby ORDERED that the parties shall file a further joint status report, including, if necessary, a proposed briefing schedule, by August 6, 2020. Signed by Judge Timothy J. Kelly on 7/2/20. (lctjk2) (Entered: 07/02/2020) |